



Express Mail No. ED488354956US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Application of: | Kroczek  | Confirmation No.:   | 9651            |
| Serial No.:     | 10/647,072   | Art Unit:           | 1644            |
| Filed:          | August 22, 2003  | Examiner:           | Ouspenski, Ilia |
| For:            | TREATMENT OF IMMUNE<br>DISORDERS WITH ANTIBODIES TO<br>COSTIMULATING POLYPEPTIDE OF<br>T CELLS | Attorney Docket No: | 709181-999261   |
|                 |  | Attorney Ref. No.   | 7853-267        |

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicant hereby direct the Examiner's attention to references C38-C61 listed on the attached "List of References Cited by Applicant."

The current application is a continuation of U.S. application no. 09/509,283, filed August 11, 2000, which is the U.S. national stage of PCT application no. PCT/DE98/02896, filed September 23, 1998, which claims the benefit of German Application nos. DE 19821060.4, filed May 11, 1998, and DE 19741929.1, filed September 23, 1997.

Copies of references C39, C41, C47-C49, C52 and C60 are submitted herewith. Copies of the other references are being supplied as exhibits to the Declaration of Richard Kroczek Under 37 C.F.R. §1.132, submitted on even date herewith.

Identification of the listed references is not to be construed an admission of Applicant or Attorneys for Applicant that such references are available as "prior art" against the subject application.

Applicant respectfully requests that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

05/07/2007 SSITHIB1 00000025 503013 10647072

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NYJD: 1596923.1

Pursuant to 37 C.F.R. §1.97(b), since this information disclosure statement is being filed after the mailing date of a first Office Action on the merits, it is estimated that a fee of \$180.00 is due in connection herewith. Please charge any required fee to Jones Day Deposit Account No. 50-3013. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date: May 2, 2007

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| LIST OF REFERENCES CITED BY APPLICANT<br>(Use several sheets if necessary) | ATTY. DOCKET NO.     | APPLICATION NO. |
|  | 709181-999261        | 10/647,072      |
|  | APPLICANT<br>Kroczek |                 |
| FILING DATE<br>August 22, 2003   | GROUP<br>1644        |                 |



### U.S. PATENT DOCUMENTS

| *EXAMINER<br>INITIAL | TRADEMARK OFFICE | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|----------------------|------------------|-----------------|------|------|-------|----------|-------------------------------|
|                      |                  |                 |      |      |       |          |                               |

### FOREIGN PATENT DOCUMENTS

|  |  | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION |
|--|--|-----------------|------|---------|-------|----------|-------------|
|  |  |                 |      |         |       |          | YES NO      |

### OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

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|  | C38 | Chen et al., "Correlation of disease evolution with progressive inflammatory cell activation and migration in the IL-4 transgenic mouse model of atopic dermatitis", <i>Clin. Exp. Immunol.</i> <b>139</b> :189-201 (2004)  |
|  | C39 | Ding et al., "Delivering PD-1 inhibitory signal concomitant with blocking ICOS co-stimulation suppresses lupus-like syndrome in autoimmune BXSB mice", <i>Clin. Immunol.</i> <b>118</b> :258-267 (2006)   |
|  | C40 | Futamatsu et al., "Attenuation of experimental autoimmune myocarditis by blocking activated T cells through inducible costimulatory molecule pathway", <i>Cardiovasc. Res.</i> <b>59</b> :95-104 (2003)   |
|  | C41 | Gonzalo et al., "ICOS is critical for T helper cell-mediated lung mucosal inflammatory responses", <i>Nature Immunol.</i> <b>2</b> :597-604 (2001)  |
|  | C42 | Harada et al., "The role of the ICOS-B7h T cell costimulatory pathway in transplantation immunity", <i>J. Clin. Invest.</i> <b>112</b> :234-243 (2003)  |
|  | C43 | Hutloff et al., "Involvement of inducible costimulator in the exaggerated memory B cell and plasma cell generation in systemic lupus erythematosus" <i>Arthritis &amp; Rheumatism</i> <b>50</b> :3211-3220 (2004)   |
|  | C44 | Iwai et al., "Amelioration of collagen-induced arthritis by blockade of inducible costimulator-B7 homologous protein costimulation", <i>J. Immunol.</i> <b>169</b> :4332-4339 (2002)  |
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|  | C46 | Kanai et al., "ICOS costimulation in inflammatory bowel disease", <i>J. Gastroenterol.</i> <b>37</b> [Suppl. XIV]:78-81 (2002)  |
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|  | C48 | Keane-Myers et al., "Development of murine allergic asthma is dependent upon B7-2 costimulation", <i>J. Immunol.</i> <b>160</b> :1036-1043 (1998)   |
|  | C49 | Mathur et al., "CD28 interactions with either CD80 or CD86 are sufficient to induce allergic airway inflammation in mice", <i>Am. J. Respir. Cell Mol. Biol.</i> <b>21</b> :498-509 (1999)  |
|  | C50 | Matsui et al., "Adenovirus-mediated gene transfer of ICOSg fusion protein ameliorates ongoing experimental autoimmune myocarditis", <i>Human Gene Ther.</i> <b>14</b> :521-532 (2003)   |
|  | C51 | Nakamura et al., "Acceptance of islet allografts in the liver of mice by blockade of an inducible costimulator", <i>Transplantation</i> <b>75</b> :1115-1118 (2003)   |
|  | C52 | Nanji et al., "Costimulation blockade of both inducible costimulator and CD40 ligand induces dominant tolerance to islet allografts and prevents spontaneous autoimmune diabetes in the NOD mouse", <i>Diabetes</i> <b>55</b> :27-33 (2006)   |
|  | C53 | Nurieva et al., "Inducible costimulator is essential for collagen-induced arthritis", <i>J. Clin. Invest.</i> <b>111</b> :701-706 (2003)<br>Retraction at: <i>J. Clin. Invest.</i> <b>112</b> :1597 (2003)  |
|  | C54 | Okamoto et al., "Expression and function of the co-stimulator H4/ICOS on activated T cells of patients with rheumatoid arthritis", <i>J. Rheumatol.</i> <b>30</b> :1157-1163 (2003)   |
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|  | C56 | Sato et al., "Hyperexpression of inducible costimulator and its contribution on lamina propria T cells in inflammatory bowel disease", <i>Gastroenterology</i> <b>126</b> :829-839 (2004)   |
|  | C57 | Scott et al., "ICOS is essential for the development of experimental autoimmune myasthenia gravis", <i>J. Neuroimmunol.</i> <b>153</b> :16-25 (2004)  |
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|  | C60 | Wills-Karp, "Murine models of asthma in understanding immune dysregulation in human asthma", Immunopharmacol. <u>48</u> :263-268 (2000)  |
|  | C61 | Yang et al., "Expression and function of inducible costimulator on peripheral blood T cells in patients with systemic lupus erythematosus" Rheumatology <u>44</u> :1245-1254 (2005); epub June 29, 2005; doi:10.1093/rheumatology/keh724 |

| EXAMINER   | DATE CONSIDERED |
|--|-----------------|
| <p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p> |                 |